

**ASSEMBLY BILL**

**No. 470**

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**Introduced by Assembly Member Halderman**

February 15, 2011

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An act to amend Section 40322.5 of the Health and Safety Code, relating to air pollution.

LEGISLATIVE COUNSEL'S DIGEST

AB 470, as introduced, Halderman. Regional air pollution control districts: governing board membership.

Existing law requires the governing board of each regional air pollution control district, as defined, to include both county supervisors and mayors or city council members, as specified.

This bill would make technical, nonsubstantive changes to this requirement.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 40322.5 of the Health and Safety Code
- 2 is amended to read:
- 3 40322.5. (a) Notwithstanding any other provision of this
- 4 chapter, on and after July 1, 1994, the membership of the governing
- 5 board of each regional district, including any district formed on
- 6 or after that date, shall include (1) one or more members who are
- 7 mayors, city council members, or both, and (2) one or more
- 8 members who are county supervisors.

1 (b) The number of those members and their composition shall  
2 be determined jointly by the counties and cities within the district,  
3 and shall be approved by a majority of the counties, and by a  
4 majority of the cities—~~which~~ *that* contain a majority of the  
5 population in the incorporated area of the district.

6 (c) The governing board shall reflect, to the extent feasible and  
7 practicable, the geographic diversity of the district and the variation  
8 of population between the cities in the district.

9 (d) The members of the governing board who are mayors or  
10 city council members shall be selected by a majority of the cities  
11 in the district. The members of the governing board who are county  
12 supervisors shall be selected by a majority of the counties in the  
13 district.

14 (e) If a district fails to comply with subdivisions (a) and (b), the  
15 membership of the governing board shall be determined as follows:

16 (1) In districts in which the population in the incorporated areas  
17 represents 35 percent or less of the total county population,  
18 one-fourth of the members of the governing board shall be mayors  
19 or city council members, and three-fourths shall be county  
20 supervisors.

21 (2) In districts in which the population of the incorporated areas  
22 represents between 36 and 50 percent of the total county  
23 population, one-third of the members of the governing board shall  
24 be mayors or city council members, and two-thirds shall be county  
25 supervisors.

26 (3) In districts in which the population of the incorporated areas  
27 represents more than 50 percent of the total county population,  
28 one-half of the members of the governing board shall be mayors  
29 or city council members, and one-half shall be county supervisors.

30 (4) The number of those members shall be determined as  
31 provided in subdivision (b) and the members shall be selected  
32 pursuant to subdivision (d).

33 (5) For purposes of paragraphs (1) to (3), inclusive, if any  
34 number—~~which~~ *that* is not a whole number results from the  
35 application of the term “one-fourth,” “one-third,” “one-half,”  
36 “two-thirds,” or “three-fourths,” the number of county supervisors  
37 shall be increased to the nearest integer, and the number of mayors  
38 or city council members decreased to the nearest integer.

- 1 (f) This section does not apply to a district if the membership
- 2 of the governing board of the district includes both county
- 3 supervisors and mayors or city council members on June 30, 1994.

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